SOF

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
2008 JAN 22 AM 10:19

UNITED STATES OF AMERICA,	)	Magistrate Docket No. **'08 MJ 0174**
Plaintiff,	)	
v.	)	COMPLAINT FOR VIOLATION OF:
	)	BY KWH DEPUTY
Israel ABREGO-Salgado,	)	Title 8, U.S.C., Section 1326 Deported Alien Found in the United States
Defendant	)	

The undersigned complainant, being duly sworn, states:

On or about **January 19, 2008** within the Southern District of California, defendant, **Israel ABREGO-Salgado,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **22nd** DAY OF **JANUARY, 2008.**

Jan M. Adler
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
Israel ABREGO-Salgado

PROBABLE CAUSE STATEMENT

I declare under the penalty of perjury that the following statement is true and correct:

On January 19, 2008, Border Patrol Agent J. Alba was conducting line watch duties in the vicinity of Tecate, California. The area where Agent Alba was patrolling is approximately nine miles east of the Tecate, California Port of Entry and one half mile north of the United States/Mexico International Boundary. This area is commonly used by illegal aliens to further their illegal entry into the United States.

Senior Patrol Agent J. Fearnehough was operating an infrared night scope just north of Agent Alba's location. At approximately 11:30 PM, Agent Fearnehough notified Agent Alba and Supervisory Border Patrol Agent T. Chisholm that he had observed three individuals crossing the United States/Mexico International Border. Agent Fearnehough advised Agent Alba of the last known location of the three individuals. Agent Alba and Agent Chisholm arrived to the location and followed footprints leading northbound. Agent Alba followed the footprints for about 600 yards until he located three individuals hiding in the brush.

At approximately 11:48 PM, Agent Alba approached the three individuals and identified himself as a United States Border Patrol Agent and began to question each individual as to their citizenship and nationality. All three individuals, including one later identified as the defendant, **ABREGO-Salgado, Israel**, admitted that they were citizens and nationals of Mexico, and were not in possession of any immigration documents that would allow them to remain or enter the United States legally. All subjects including the defendant were arrested and transported to the Tecate Processing Center for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **January 14, 2008** through **Brownsville, Texas.** These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

Executed on January 21, 2008 at 10:00 a.m.

Carlos R. Chavez
Senior Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of #1 page(s), I find probable cause to believe that the defendant named in this probable cause statement committed the offense on **January 19, 2008,** in violation of Title **8**, United States Code, Section **1326**.

Jan M. Adler
United States Magistrate Judge

1/21/08 @ 10:34 a.m
Date/Time